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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/900,707	07/06/2001	Roger E. Darois	D0188/7126	4890

7590 09/29/2003

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EXAMINER

BONDERER, DAVID A

ART UNIT

PAPER NUMBER

3732

DATE MAILED: 09/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Interview Summary	Application No.	Applicant(s)	
	09/900,707	DAROIS ET AL.	
	Examiner	Art Unit	
	D. Austin Bonderer	3732	

All participants (applicant, applicant's representative, PTO personnel):

(1) D. Austin Bonderer.

(3) C. Boelitz.

(2) J. Hanifin.

(4) _____.

Date of Interview: 17 September 2003.

Type: a) Telephonic b) Video Conference
c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.
If Yes, brief description: _____.

Claim(s) discussed: 46,53 and 59.

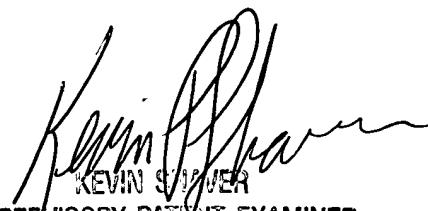
Identification of prior art discussed: Mulhauser et al. and Eldridge.

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.



KEVIN SILVER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700

Examiner Note: You must sign this form unless it is an
Attachment to a signed Office action.

Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Whether or not that silicone prevents ingrowth and if the use of a 102 rejection is proper because Mulhauser is silent to that fact. The Examiner held that Eldridge discloses that silicone elastomer, which is used in the Mulhauser reference, discourages ingrowth and serves as a suitable barrier layer (col. 3, line 65- col. 4, line 2). Since the reference only demonstrates the inherent property of the material and it's not used as a teaching, the 102 is considered to be proper..